

REMARKS

Claims 1-6, 8-12, 14, 15 and 17 are pending in the application. The examiner has rejected claims 3, 4 and 9 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The examiner has rejected claims 1-3, 5, 8, 9, 11, 12, 14 and 17 under 35 U.S.C. § 102(e) as being anticipated by Sung, U.S. Patent No. No. 6,423,893. The examiner has rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Sung in view of the prior art known at the time the invention was made. The examiner has rejected claims 6 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sung in view of Applicant's Detailed Description of the prior art. The examiner has rejected claim 10 as being unpatentable over Sung in view of Clynes, U.S. Patent No. 5,590,282.

Applicant hereby amends claims 3, 4, 9 and 15. Applicant has amended claims 3, 4 and 9 in compliance with the requirement of form set forth in the examiner's rejection under 35 U.S.C. § 112. Applicant has amended claim 15 to correct an inadvertent clerical error that Applicant had not previously noticed.

1. The Rejections Under 35 U.S.C. § 112 Have Been Overcome.

Applicant has amended claims 3, 4 and 9 to overcome the examiner's rejection under 35 U.S.C. § 112. In particular, claims 3, 4 and 9 were rejected as lacking antecedent basis for the phrase "the media file." Applicants have amended claims 3, 4, and 9 to refer to "said plurality of types of media files" as recited in base claim 1. Applicant respectfully submits that claims 3, 4 and 9 are now in a form having sufficient antecedent basis.

2. The Rejections Under 35 U.S.C. § 102(e) Have Been Overcome.

Applicant respectfully submits that Sung does not disclose the elements contained in independent claims 1 and 14.

a. **Sung does not disclose a system having “means accessible to said host computer for modifying the plurality of types of media files”**

Sung does not disclose a system having “means accessible to said host computer for modifying and transforming the plurality of types of media files.” As described in Applicant’s specification at page 5, lines 24-25, media processing hardware and software 22 perform actual modification of media files as requested by the user. For example, as described at page 8, lines 29-31 of Applicant’s Detailed Description, if a user sends an audio file of music created using conventional instruments, media processing hardware and software 22 can add effects such as echoes to the music.

Sung does not disclose any means for modifying or transforming media files. Rather, Sung discloses a web-based system that allows an on-line user to remotely author and publish instructional material for musical instruments for the purpose of dissemination to other on-line users. Sung discloses combining and refining four types of information in an instructional lesson page (col. 6, ll. 31-41; col. 5, ll. 12-16), however, Sung does not disclose modifying the media files themselves to add effects to music. Although users of the system disclosed by Sung may select to hear musical events such as a pick, hammer-on or slide, these events are not modifications of media files.

- b. Sung does not disclose a system having “a media switch matrix for routing the plurality of types of media files to said modifying means, wherein the media switch matrix uses a chaining process to route the plurality of types of media files to said modifying means”**

Sung does not disclose a system having “a media switch matrix for routing the plurality of types of media files to said modifying means, wherein the media switch matrix uses a chaining process to route the plurality of types of media files to said modifying means.” As described in Applicant’s Detailed Description, through a “chaining” process, media switch matrix 28 allows for multiple modifications of a media file. The unique function of chaining in media switch matrix 28 occurs when a media file is inputted to media switch matrix 28. Media switch matrix 28 routes the media file to a specific processor which has been assigned the task of performing they type of modification requested by the user. If a user chooses to perform multiple modifications upon a media file, media switch matrix 28 will use a chaining process. When this occurs, the system retransmits the modified or transformed media file through the media switch matrix 28 again to be processed by another processor. When no further modification is necessary, the media file will exit the media switch matrix. (See Applicant’s Detailed Description at page 6, lines 23-24; page 7, lines 6-19.)

Sung does not disclose means for performing a chaining process. Rather, Sung teach away from chaining by disclosing that “[a]n author may reiterate this process of refining any of these four types of information using the appropriate temporary web application 22 as often as necessary to convey the point of the instructional material.” As discussed above, Sung do not disclose modifying media files. In addition, Sung discloses that to perform multiple refinements of information, the author must reiterate the process. Sung lacks any means for chaining multiple modifications to a media file.

3. The Rejections Under 35 U.S.C. § 103(a) Have Been Overcome.

Applicant respectfully submits that claims 4, 6, 10 and 15 are allowable under 35 U.S.C. § 103(a) for the foregoing reasons.

a. Claims 4 is allowable over Sung and the prior art

Claim 4 is allowable over Sung in view of the art known at the time the invention was made because claim 4 depends from claim 1, which is allowable over Sung for the reasons discussed above. The art known at the time the invention was made does not disclose what is missing from Sung.

b. Claims 6 and 15 are allowable over Sung and the prior art

Claims 6 and 15 are allowable over Sung and the prior art disclosed in Applicant's Detailed Description because claims 6 and 15 depend from claims 1 and 14, respectively, which are allowable over Sung for the reasons discussed above.

Claims 6 and 15 are allowable over Sung and the prior art for the additional reason that it would not have been obvious to a person having ordinary skill in the art to utilize media patchbay and media interface devices in a system that permits users to modify media files remotely. Media patchbay and media interface devices may have been used to modify media files, however in the prior art, these systems were purchased by the user at great expense and required a lot of space. There is no admission of prior art in Applicants' application of these devices being used in a system for modifying and transforming media files remotely such that users would not need to purchase or store the devices.

c. Claim 10 is allowable over Sung in view of Clynes

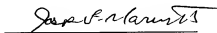
Claim 10 is allowable over Sung in view of Clynes because neither reference discloses a host computer that is adapted to receive a media file that is an audio file. Clynes, at column 6,

lines 46-48, is discussing video images as a basis of comparison to explain the great memory requirements of storing microscores of audio files ("In view of the great memory requirements of storing video images which exceed microscore requirements by more than four orders of magnitude . . . the usage of space would start to exceed the need for storage of a single video presentation by comparison.") (col. 6, lines 43-54). Neither Clynes nor Sung teach modifying or transforming video images, and there is no motivation or suggestion in the references or in the knowledge generally available to one skilled in the art to combine Clynes with Sung in such a way because Clynes contemplates the storage of audio files rather than video files. Moreover, although Clynes discusses utilizing a video interface, Clynes does not disclose receiving video media files.

CONCLUSION

Applicant respectfully requests reconsideration of the application in view of the foregoing remarks and early issuance of a Notice of Allowance covering all claims pending in the application. Should the examiner have any questions regarding this application, he is invited to contact Applicant's attorney at the telephone number below.

Respectfully submitted,



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